

1 Hon. John H. Chun
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10 UNITED STATES DISTRICT COURT FOR THE
11 WESTERN DISTRICT OF WASHINGTON
12 AT SEATTLE
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15 UNITED STATES OF AMERICA,
16 Plaintiff,
17 v.
18 DEON JORDAN,
19 Defendant.

NO. CR23-051-JHC

ORDER

20 THIS MATTER comes before the Court on the United States' Motion for
21 Preliminary Order of Forfeiture ("Motion") seeking to forfeit, to the United States,
22 Defendant Deon Jordan's interest in the following currency ("Subject Currency"):
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24 • \$6,000 of the \$10,715.27 in U.S. currency seized on or about
November 17, 2022.

25 The Court, having reviewed the United States' Motion, as well as the other papers
26 and pleadings filed in this matter, hereby FINDS entry of a Preliminary Order of
27 Forfeiture is appropriate because:

• The Subject Currency is forfeitable pursuant to 21 U.S.C. § 853 as proceeds
of and/or facilitating property for Defendant's *Possession of Controlled
Substances with Intent to Distribute* offense, in violation of 21 U.S.C.

1 §§ 841(a)(1) and 841(b)(1)(C), to which he entered a guilty plea.

2 Dkt. No. 7; and

3 • Defendant agreed, in the Plea Agreement he entered on April 17, 2023, to
4 forfeit the Subject Currency pursuant to 21 U.S.C. § 253. Dkt. No. 7, ¶ 14.

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6 NOW, THEREFORE, THE COURT ORDERS:

7 1. Pursuant to 21 U.S.C. § 253 and his Plea Agreement, Defendant's interest
8 in the Subject Currency is fully and finally forfeited, in its entirety, to the United States;

9 2. Pursuant to Fed. R. Crim. P. 32.2(b)(4)(A)–(B), this Preliminary Order will
10 be final as to Defendant at the time he is sentenced, it will be made part of the sentence,
11 and it will be included in the judgment;

12 3. The Department of Justice, the Bureau of Alcohol, Tobacco, Firearms, and
13 Explosives, and/or their authorized agents or representatives shall maintain the Subject
14 Currency in their custody and control until further order of this Court;

15 4. Pursuant to Fed. R. Crim. P. 32.2(b)(6) and 21 U.S.C. § 853(n), the
16 United States shall publish notice of this Preliminary Order and its intent to dispose of the
17 Subject Currency as permitted by governing law. The notice shall be posted on an official
18 government website – currently www.forfeiture.gov – for at least thirty (30) days. For
19 any person known to have alleged an interest in the property, the United States shall, to
20 the extent possible, provide direct written notice to that person. The notice shall state that
21 any person, other than the Defendant, who has or claims a legal interest in the property
22 must file a petition with the Court within sixty (60) days of the first day of publication of
23 the notice (which is thirty (30) days from the last day of publication), or within thirty (30)
24 days of receipt of direct written notice, whichever is earlier. The notice shall advise all
25 interested persons that the petition:

26 a. shall be for a hearing to adjudicate the validity of the petitioner's
27 alleged interest in the property;

1 b. shall be signed by the petitioner under penalty of perjury; and,
2 c. shall set forth the nature and extent of the petitioner's right, title, or
3 interest in the property, as well as any facts supporting the
4 petitioner's claim and the specific relief sought.

5 5. If no third-party petition is filed within the allowable time period, the
6 United States shall have clear title to the Subject Currency, and this Preliminary Order
7 shall become the Final Order of Forfeiture as provided by Fed. R. Crim. P. 32.2(c)(2);

8 6. If a third-party petition is filed, upon a showing that discovery is necessary
9 to resolve factual issues it presents, discovery may be conducted in accordance with the
10 Federal Rules of Civil Procedure before any hearing on the petition is held. Following
11 adjudication of any third-party petitions, the Court will enter a Final Order of Forfeiture,
12 pursuant to Fed. R. Crim. P. 32.2(c)(2) and 21 U.S.C. § 853(n), reflecting that
13 adjudication; and,

14 7. The Court will retain jurisdiction for the purpose of enforcing this
15 Preliminary Order, adjudicating any third-party petitions, entering a Final Order of
16 Forfeiture, and amending the Preliminary Order or Final Order as necessary pursuant to
17 Fed. R. Crim. P. 32.2(e).

19 IT IS SO ORDERED.

21 DATED this 5th day of May, 2023.

23 
24 THE HON. JOHN H. CHUN
25 UNITED STATES DISTRICT JUDGE